



House of Representatives

General Assembly

File No. 65

January Session, 2009

House Bill No. 5995

House of Representatives, March 16, 2009

The Committee on Energy and Technology reported through REP. NARDELLO of the 89th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE FREEDOM TO DRY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2009*) (a) For the purposes of this
2 section, "governing body" means any municipality, political
3 subdivision of the state, fire district, sewer district, village, beach or
4 improvement association or any other district or association or any
5 condominium or cooperative association; and "direct solar energy"
6 means direct sunlight or ambient outside air warmed by sunlight.
- 7 (b) No governing body may impose an ordinance, regulation or
8 other restriction prohibiting the drying of clothes using direct solar
9 energy through the use of clotheslines, drying racks or other apparatus
10 in any residential setting.
- 11 (c) No deed restrictions, covenants, landlord-tenant agreements,
12 private contracts or similar binding agreements running with the land
13 shall prohibit, or have the effect of prohibiting, the drying of clothes
14 using direct solar energy through the use of clotheslines or drying

15 racks in any residential setting, provided such clotheslines or drying
16 racks do not affect public safety, including, but not limited to,
17 hampering access to public buildings or impeding rapid emergency
18 egress.

19 (d) Notwithstanding subsection (c) of this section, a governing body
20 may prohibit the drying of clothes using direct solar energy through
21 the use of clotheslines or drying racks in any residential setting if (1)
22 nonpermanent alternatives, such as folding racks, would provide the
23 same drying service as permanent installations of clotheslines and
24 supporting structures; (2) functionally equivalent alternate drying
25 facilities, such as indoor drying rooms, are available, provided said
26 facilities do not rely on the use of electricity or fossil fuels specifically
27 for drying; or (3) such prohibitions incorporate aesthetic
28 considerations, provided such restrictions do not substantially
29 interfere with access to direct solar energy for drying purposes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2009	New section

ET *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

This bill generally prohibits municipalities and various other entities from imposing ordinances, regulations, or other restrictions prohibiting drying clothes outdoors on clotheslines, drying racks, or other apparatus in residential settings. There is no fiscal impact associated with this bill.

The Out Years

None

OLR Bill Analysis**HB 5995*****AN ACT CONCERNING THE FREEDOM TO DRY.*****SUMMARY:**

This bill generally prohibits municipalities and other entities from imposing ordinances, regulations, or other restrictions prohibiting drying clothes outdoors on clotheslines, drying racks, or other apparatus in residential settings. The other entities are the state's political subdivisions, fire or sewer districts, villages, beach or improvement associations, other districts or associations, and any condominium or cooperative association.

The bill also prohibits binding agreements running with the land that prohibit, or have the effect of prohibiting, drying clothes outdoors so long as it does not affect public safety, including hampering access to public buildings or impeding rapid emergency egress. The prohibited agreements include deed restrictions, covenants, landlord-tenant agreements, and private contracts. The bill does not state whether it applies to existing contracts or other agreements.

However, the municipality or entity can prohibit outdoor clothes drying if:

1. nonpermanent alternatives such as folding racks would provide the same service as permanent clotheslines and supporting structures;
2. functionally equivalent alternate drying facilities that do not use electricity or fossil fuels specifically for drying, such as indoor drying rooms, are available; or
3. the prohibitions incorporate aesthetic considerations that do not

substantially interfere with access to direct solar energy for drying purposes.

EFFECTIVE DATE: July 1, 2009

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable

Yea 16 Nay 4 (02/26/2009)